10986

TREATIES AND OTHER INTERNATIONAL ACTS SERIES 10986

DEFENSE

International Military Education and Training (IMET)

Agreement Between the
UNITED STATES OF AMERICA
and GABON

Effected by Exchange of Notes
Dated at Libreville March 21, 1983
and July 5, 1984

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S9.10:

NOTE BY THE DEPARTMENT OF STATE

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GABON

Defense: International Military Education and Training (IMET)

Agreement effected by exchange of notes
Dated at Libreville March 21, 1983 and July 5, 1984;
Entered into force July 5, 1984.

The American Embassy to the Gabonese Ministry of Foreign Affairs

N° 24

The Embassy of The United States of America presents its compliments to the Ministry of Foreign Affairs of The Republic of Gabon, and has the honor to refer to certain requirements of United States law concerning the provision of training related to defense articles under The United States International Military Education and Training (IMET) Program.

The provisions of United Sates law in question prohibit the furnishing of IMET training related to defense articles unless the recipient country shall have first agreed to observe certain conditions with respect to such training. These conditions are :

1. That the recipient Government will not, without the consent of The United States Government :

A. Permit any use of such training (including training materials) by anyone not an officer, employee, or agent of the recipient government ;

B. Transfer or permit any officer, employee, or agent of the recipient government to transfer such training (including training materials) by gift, sale, or otherwise to anyone not an officer, employee, or agent of the recipient government ; or

C. Use or permit the use of such training (including training materials) for purposes other than those for which furnished by the United States Government ;

2. That the recipient country will maintain the security of such training (including training materials) and will provide substantially the same degree of security protection afforded to such training and materials by the United States Government.

3. That the recipient country will permit continuous observation and review by, and furnish necessary information to representatives of The United States Government with regard to the use of such training (including training materials) ; and that the recipient country will return to the United States Government such training (including training materials) as is no longer needed for the purposes for which furnished, unless the United States Government consents to some other disposition.

Inasmuch as the IMET Program with the Government of Gabon may include training related to defense articles with respect to which the agreement of the Government of Gabon to observe the foregoing conditions is required, the Embassy of The United States of America has the honor to propose that this note, together with the note in reply of the Ministry of Foreign Affairs of Gabon shall constitute an agreement between the two Governments on this subject, to be effective from the date of the Ministry's Note in reply.

The Embassy of the United States of America takes this opportunity to assure the Ministry of Foreign Affairs of the Republic of Gabon of its highest regards.

EMBASSY OF THE UNITED STATES OF AMERICA
LIBREVILLE, MARCH 21, 1983

The Gabonese Ministry of Foreign Affairs and Cooperation to the American Embassy

MINISTERE DES AFFAIRES ETRANGERES
ET DE LA COOPERATION
SECRETARIAT GENERAL

DIRECTION DES AFFAIRES ADMINISTRATIVES
ET CONSULAIRES

REPUBLIQUE GABONAISE
UNION — TRAVAIL — JUSTICE

N° E 215[illegible]/MAEC/SG/D6.-

Le Ministère des Affaires Etrangères et de la Coopération présente ses compliments à l'Ambassade des Etats Unis d'Amérique à Libreville et a l'honneur de lui faire savoir à l'attention des autorités de son pays et en réponse à sa note verbale n° 24 du 21 Mars 1983 au sujet de la coopération militaire entre les deux pays que le Gouvernement de la République Gabonaise accepte les stipulations de la loi des Etats-Unis relatives à la formation des personnels militaires telles qu'elles relèvent des articles concernant le programme International d'Education et de Formation Militaire des Etats-Unis ("United States International Military Education and Training Program") ou Programme I.M.E.T.

Conformément aux termes de la note verbale de l'Ambassade citée ci-dessus, ces conditions régissant cette Coopération se formulent comme suit :

I. Le Gouvernement Gabonais, sans le consentement du Gouvernement des Etats-Unis :

a) n'autorisera la participation à ce programme de formation (ou l'emploi de matériaux de formation) à quiconque n'étant pas officier, fonctionnaire ou agent du Gouvernement Gabonais ;

b) ne procédera au transfert ni n'autorisera un officier, fonctionnaire ou agent du Gouvernement Gabonais à procéder au transfert de connaissances acquises par voie de cette formation (ni matériaux de formation) à titre de don, à titre onéreux ou à tout autre titre à quiconque n'étant pas un officier, un fonctionnaire ou un agent du Gouvernement Gabonais ;

c) ne participera ni n'autorisera la participation à ce programme de formation (ou à l'emploi des matériaux de formation) à des fins autres que celles auxquelles cette formation est assurée par le Gouvernement des Etats-Unis.

II. Le Gouvernement Gabonais veillera à conserver le caractère secret de cette formation (et la protection des matériau de formation) et assurera sensiblement le même degré de protection du secret que celle qui est assurée à ce programme de formation et aux matériaux employés par le Gouvernement des Etats-Unis.

III. Le Gouvernement Gabonais autorisera l'observation et l'examen continuels par des représentants habilités du Gouvernement des Etats-Unis de ce programme de formation ainsi que des matériaux de formation et fournira tous renseignements nécessaires aux fins de cet examen.

Le Gouvernement Gabonais restituera au Gouvernement des Etats-Unis les moyens de formation du programme (y compris les les matériaux de formation) lorsque ces moyens ne seront plus nécessaires pour les besoins pour lesquels ils auront été fournis, à moins que le Gouvernement des Etats-Unis ne consente à ce qu'il en soit disposé d'une autre manière.

Dans la mesure où les présentes rencontrent la satisfaction des autorités de son pays, le Ministère informe l'Ambassade de son accord pour que ledit arrangement entre en vigueur dès réception par l'Ambassade de la présente réponse.

Le Ministère des Affaires Etrangères et de la Coopération tout en remerciant l'Ambassade de sa disponibilité à chaque fois qu'elle est sollicitée pour promouvoir la coopération entre les deux pays, saisit l'occasion qui lui est offerte pour lui renouveler les assurances de sa très haute considération. LIBREVILLE, LE 05 JUILLET 1984.- HB.

12 JUIL. 1984

AMBASSADE DES ETATS-UNIS
D'AMERIQUE AU GABON.

-LIBREVILLE-

TRANSLATION

Gabonese Republic
Union - Labor - Justice

Ministry of Foreign Affairs and Cooperation
General Secretariat
Office of Administrative and Consular Affairs

No. G 2153/MAEC/SG/D6.

The Ministry of Foreign Affairs and Cooperation presents its compliments to the Embassy of the United States of America at Libreville and, in response to its note verbale No. 24 of March 21, 1983, concerning military cooperation between the two countries, has the honor to inform the United States authorities, through the Embassy, that the Government of the Gabonese Republic accepts the requirements of United States law concerning the training of military personnel as they relate to articles pertaining to the United States International Military Education and Training (IMET) Program.

Embassy of the United States of America in Gabon,
Libreville.

In accordance with the terms of the aforementioned note verbale, the conditions governing such cooperation are as follows:

[For text of the U.S. note, see pp. 2-3.]

Provided the foregoing is acceptable to the United States authorities, the Ministry hereby informs the Embassy of its concurrence that the aforementioned arrangement shall enter into force upon receipt of this response by the Embassy.

The Ministry of Foreign Affairs and Cooperation thanks the Embassy for its unfailing response to requests for greater cooperation between our two countries, and avails itself of this opportunity to renew to it the assurances of its very high consideration.

Libreville, July 5, 1984

[Initialed]

[Ministry stamp]